

WILKINSBURG BOROUGH COUNCIL MEETING
Legislative Session
March 16, 2011

CALL TO ORDER

President Moore called the meeting to order at approximately 7:10PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkesburg, PA.

ROLL CALL

The roll was called to establish a quorum. Council members present were: Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin and President Moore. Also present were Mayor John Thompson, Marla P. Marcinko, Borough Manager and Isobel Storch, Esquire, from the Law Offices of Patricia McGrail, L.L.C., and Borough Solicitor. A quorum was established.

PLEDGE OF ALLEGIANCE

Following the pledge of allegiance, President Moore requested a moment of silence be observed for victims of violent crime.

SPECIAL PRESENTATION

Ms. Marcinko introduced Brian Trovato, President of Local 839 Firefighters' Union. Mr. Trovato opened his presentation referencing the vote to be taken by Council later in the evening to approve the intergovernmental cooperation agreement that will allow the City of Pittsburgh to provide fire protection services to the Borough of Wilkesburg. Mr. Trovato spoke favorably of the process and thanked Council for the support given to the Wilkesburg Firefighters. Mr. Trovato extended special thanks to Mr. Cohn, Mr. Focareta and Ms. Marcinko for their work on the agreement. Mr. Trovato also thanked the residents of Wilkesburg. Mr. Trovato announced that twenty-three out of the twenty-five firefighters will be making the transition to become City of Pittsburgh Bureau of Fire employees. Twelve firefighters will work out of the Wilkesburg location. As a result of the merger, fire protection services to the Borough of Wilkesburg will increase the number of firefighters available to fight local fires.

PUBLIC COMMENT

Elizabeth Johnson – 1443 Cresson Street – Expressed concerns regarding the proposed one-way, westbound restriction on Hill Ave.

Brenda West-Evans – 605 North Ave. – Ms. West-Evans requested that Council not take any action relating to Councilman Carl Lewis until such time as due process has been served.

**Borough of Wilkinsburg
Council Legislative Meeting
March 16, 2011**

Deb Rose -726 Whitney Ave. – Ms. Rose expressed her desire to discuss the shocking allegations of assault as related to Councilman Lewis and the reporting on these allegations contributes to the bad perception of the community. Mr. Rose requested that Councilman Lewis be censured and that he recuse himself from the Public Safety Committee or resign his position on Council.

Mr. Cohn also expressed that he was disturbed by the weekend's event. Mr. Cohn commented that Council opens every meeting with a moment of silence for victims and that the community has worked hard to dispel the negative perceptions of the Borough.

A motion was made by Mr. Cohn, second by Ms. Evans, that Council officially request the resignation of Councilman Lewis.

President Moore read a statement relating to the private nature of the incident in which Mr. Lewis was alleged to be involved and that the matter will be resolved through the judicial process.

Ms. Macklin commented on her belief in due process which may be hindered in taking any action at this time.

Yes: Ms. Evans, Mr. Cohn, Ms. McCarthy-Johnson, Mr. Lefebvre
No: Ms. Ervin, Ms. Trice, Mr. Lewis, Ms. Macklin, President Moore

Motion failed 4:5

ORDINANCES ON FIRST READING

Ordinance No. 2864

An Ordinance of the Borough of Wilkinsburg, County of Allegheny, Commonwealth of Pennsylvania, amending Ordinance 2842 by changing the annual tenant registration filing fee from a "per person" fee to a "per unit" fee.

Moved: Mr. Cohn

Seconded by: Ms. Evans

Yes: Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, President Moore

Motion carried

Ordinance No. 2865

Establishing a Handicap Parking Space – 1101 Jane Street

Moved: Ms. Ervin

Seconded by: Ms. Trice

**Borough of Wilkinsburg
Council Legislative Meeting
March 16, 2011**

Yes: Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson,
Ms. Macklin, Mr. Lefebvre, President Moore

Motion carried

ORDINANCES ON SECOND READING

Ordinance No. 2860

Establishing Handicap Parking Space – 1507 Fairmont St.

Moved: Ms. Ervin

Seconded by: Ms. Trice

Yes: Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Cohn, Ms. Trice, Ms. Evans,
Ms. Ervin, Mr. Lefebvre, President Moore

Motion carried

Ordinance No. 2861

**An Ordinance of the Borough of Wilkinsburg, County of Allegheny,
Commonwealth of Pennsylvania, amending Ordinance No. 2840, Code of the
Borough of Wilkinsburg, Part II, Chapter 237, Section 46, by providing for a
definition for tax compromise to include the compromise of the Borough's
Municipal Services Fees.**

Moved: Mr. Cohn

Seconded by: Ms. Evans

Ms. Macklin questioned whether the compromise of MSF will be applied retroactively.
Ms. Marcinko clarified that the exoneration of MSF will apply to the pending
applications.

Yes: Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson,
Ms. Macklin, Mr. Lefebvre, President Moore

Motion carried

Ordinance No. 2862

**An Ordinance of the Borough of Wilkinsburg authorizing the Borough to enter into
an Intergovernmental Agreement for Fire Protection Services.**

Moved: Ms. Macklin

Seconded by: Ms. McCarthy-Johnson

Yes: Ms. McCarthy-Johnson, Mr. Lewis, Mr. Cohn, Ms. Trice, Ms. Evans, Ms. Ervin,
Mr. Lefebvre, Ms. Macklin, President Moore

**Borough of Wilkinsburg
Council Legislative Meeting
March 16, 2011**

Motion carried

Ordinance No. 2863

An Ordinance of the Borough of Wilkinsburg amending section 8.02 of the Borough of Wilkinsburg Firefighters Pension Plan as to Pension Committee Members and authorizing the use of funds pursuant to an Intergovernmental Agreement for Fire Protection Services between the Borough of Wilkinsburg and the City of Pittsburgh.

Moved: Ms. Ervin

Seconded by: Mr. Cohn

Yes: Ms. Evans, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, Ms. Ervin, President Moore

Motion carried

RESOLUTIONS

11-023

Approving the Borough Council Meeting Minutes of February 2 and February 16, 2011.

Ms. Trice commented that there was a discussion at the February 16, 2011 meeting relating to the process followed for the appointments to the Planning Commission and requested that the entire conversation be included in the minutes. Ms. Marcinko advised that she would have to go back and listen to the tape recording.

Moved: Mr. Cohn

Seconded by: Ms. McCarthy-Johnson

Yes: Ms. Ervin, Ms. Evans, Ms. Trice (pending amendment), Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, President Moore

During the voting on the motion, Ms. Macklin requested a review of the discussion regarding the Finance Committee report on February 16 and a statement she made relating to the need to complete projects which had been started in 2010. Ms. Marcinko advised that she would have to review the tape recording and would amend the minutes as appropriate. During the voting on the motion, Mr. Lefebvre conditioned his approval of the minutes on the review of the tape recording.

Motion carried

11-024

Approving the February checks issued in the amounts as follows:

**Borough of Wilkinsburg
Council Legislative Meeting
March 16, 2011**

Regular Distributions 02/01/11 – 02/28/11	\$ 959,751.69
Payroll Disbursements	\$ 380,459.58
Voided Checks	\$ <u>(6,957.62)</u>
Total	\$1,333,253.65

Moved: Mr. Cohn

Seconded by: Ms. Evans

Yes: Mr. Cohn, Ms. McCarthy-Johnson, Mr. Lefebvre, Ms. Evans, President Moore

No: Mr. Lewis, Ms. Macklin Ms. Ervin, Ms. Trice

During the voting, Ms. Macklin qualified her dissenting vote based on the recommendation contained in the Comprehensive Plan that calls for the review of the bill list by the Finance Committee prior to presenting to full Council. Mr. Cohn advised that all members of Council are provided the bill list prior to issuing checks. Ms. Macklin commented that Council does not see the actual invoices and rarely other Council members' questions on the bill list.

Motion carried 5:4

11-025

Approving the hiring of Eldred Tucker, 1601 Penn Avenue as a School Crossing Guard at the rate of \$8.00 per hour. Act 33 and 34 clearances have been received.

Moved: Ms. Ervin

Seconded by: Ms. Trice

Yes: Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, Ms. Ervin, Ms. Evans, President Moore

During the voting on the motion, Ms. Macklin requested that the Borough continue hiring school crossing guards.

Motion carried

President Moore announced that the Borough is recruiting for school crossing guards.

OLD BUSINESS

President Moore commented on the number of potholes developing around the Borough.

**Borough of Wilkinsburg
Council Legislative Meeting
March 16, 2011**

NEW BUSINESS

Ms. Macklin commented that a recommendation has been received from the Planning Commission to increase its membership from 7 to 9 members.

A motion was made by Ms. Macklin, second by Mr. Lewis, to authorize the advertisement of an ordinance to increase the membership of the Planning Commission from 7 to 9 members.

Yes: Ms. McCarthy-Johnson, Mr. Lewis, Mr. Cohn, Ms. Trice, Ms. Evans, Ms. Ervin, Mr. Lefebvre, Ms. Macklin, President Moore

Motion carried

Adult Library Report

President Moore reported:

- The Library will again be participating in the County program "One Book, One Community".
- Pittsburgh Symphony Orchestra program is scheduled for March 30, 2011 at the Eastridge Branch.

Ms. Macklin announced that Wilkinsburg High School will be celebrating its 100th birthday on March 30, 2011 at 6:30 PM.

Ms. Trice announced that the Wilkinsburg High School Basketball Team played tonight and fell to Beaver Falls but made it to the State Championship.

Mr. Cohn announced Representative Preston will be holding a town hall meeting on April 2 at 10:30 AM.

Ms. Ervin left the meeting at approximately 7:51 PM.

Mayor Thompson announced:

- A community meeting will be held at the Wilkinsburg High School on March 17, 2011 from 6-8 PM.
- Pittsburgh Symphony Orchestra will have an annual tribute on March 18, 2011 at Heinz Hall.

Ms. Evans read a letter from PA DOT regarding the condition of the decorative lampposts in the business district and that immediate action must be taken to de-energize that system. Ms. Macklin requested a copy of the letter. A scope of work for the repairs will need to be developed.

**Borough of Wilkinsburg
Council Legislative Meeting
March 16, 2011**

Mr. Cohn commented that the Hill Avenue one-way restriction was discussed in the Public Safety Committee meeting.

ADJOURNMENT

Being no further business, on motion by Mr. Lewis, second by Ms. Trice, the meeting was adjourned at approximately 7:56 PM.

Eugenia Moore, Council President